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Patent Docket No. : P1053R1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Brian M. Fendly Serial No.: 09/705,579 Filed: November 2, 2000 For: ANTI-ErbB2 ANTIBODIES	Group Art Unit: 1642 Examiner: Christopher H. Yaen Confirmation No: 5667 CUSTOMER NO: 09157 <u>CERTIFICATE OF FACSIMILE TRANSMISSION</u> I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Dated: <u>11-15-05</u> By: <u>Pam Golden</u> Pam Golden
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NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated, June 15, 2005 of the Primary Examiner finally rejecting claims.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$500 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Notice is enclosed for this purpose.

Respectfully submitted,
GENENTECH, INC.

Date: Nov. 15, 2005By:  for Wendy Lee

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#193961

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